IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

APR 1 2 2006

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JUAN MIGUEL CANAIS, Petitioner,) Civil Action No. 7:06-cv-00047
v.) <u>FINAL ORDER</u>
UNITED STATES OF AMERICA, Respondent.) By: Hon. James C. Turk Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petitioner's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. §2255, shall be and hereby is **DISMISSED** as untimely, and this action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This // day of April, 2006.

Senior United States District Judge